

REMARKS

In view of the following remarks, reconsideration and allowance are respectfully requested.

Claims 20-38 are pending, with claims 20, 27, 33, 36, 37 and 38 being independent.

Claims 27 and 37 are currently amended in this response.

According to the Office Action, claims 27-32 and 37 stand rejected under 35 U.S.C. 101 as allegedly being directed to non-statutory subject matter.

Claims 20-35 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Brandt et al., U.S. Patent No. 5,892,905, (hereinafter "Brandt").

Claims 36-38 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Brandt in view of Special Edition, Using Windows with 95 Internet Explorer 4.0 (hereinafter, "Windows").

Claim Rejections - 35 U.S.C. 101

The Office Action stated that claims 27-32 and 37 stand rejected under 35 U.S.C. 101 as allegedly being directed to non-statutory subject matter. Applicants have amended the preamble of independent claims 27 and 37 to include the phrase "embodied in a computer readable medium." Support for this phrase can be found in the specification, for example page 12, lines 1-9 of the original specification. This amendment to the preamble of independent claim 27 is applicable to each of claims 28-32 which depend, either directly or indirectly, from claim 27. As such, Applicants respectfully request that the rejections of claims 27-32 and 37 under 35 USC § 101 be removed.

Claim Rejections – 35 U.S.C. 102

Claims 20-35

Claims 20-35 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Brandt.

The present invention relates to improved client-server communications using the hypertext transfer protocol (HTTP) and an HTTP browser. In conventional client-server communications, server resources are accessed and allocated by the client through HTTP requests via the browser. According to the HTTP protocol, the server computer would wait for a predetermined period of time after the last client-server communication to release a previously allocated resource. Keeping such resources allocated for the period of time was inconvenient, memory intensive and performance inhibiting.

In the present invention, upon receiving a first request for a resource, the server computer allocates the resource to the client computer, and returns a close instruction to the client computer browser. The close instruction includes an identifier. Upon receiving a second request from the client computer that includes the identifier (as unloaded from the browser), the server computer de-allocates the resource. Accordingly, the previously-used period of time of resource allocation is avoided, and the communications remain compliant with the HTTP protocol.

Brandt teaches an apparatus and method for providing a common user interface for accessing and using server-based applications. The user interface relies on a standardized set of application programming interfaces (APIs), as shown in FIG. 23, that are distributed and used at various parts of the client-server architecture.

With regard to claim 20, Brandt fails to teach or suggest at least the feature of “upon receiving the first request, the server computer (i) allocating a resource at the server computer, the resource including an identifier, and (ii) returning a predetermined close instruction to the browser, the close instruction carrying the identifier.” In fact, Brandt neither teaches nor suggests the recited “predetermined close instruction” which carries “the identifier.” Brandt discloses a DISCONNECT API, which is a disconnect mechanism (and not an instruction) that is used to allow a software application to suspend a process while the software application waits for

input from the user. Such API does not disclose a close instruction having an identifier that can be used to have the server computer de-allocate a resource. Further, the Office Action does not specifically show how each and every element of claim 20 is taught by Brandt. Accordingly, claim 20 is not anticipated by Brandt.

Claims 21-26 are patentable at least for their dependence, directly or indirectly, on claim 20, and notice to that effect is respectfully requested.

The Office Action states that claims 27-35 list all the same elements of claims 20-26, but in product, medium and system form rather than method form. Applicants respectfully assert that many various features are shared between claims 27-35 and 20-26, but that they are not the "same elements," and accordingly have their own unique scope. Notwithstanding this, the rejection of claims 27-35 fails for similar reasons as stated above with regard to claims 20-26.

For example, Brandt fails to teach or suggest "code portions that - upon receiving the first request by the server computer - cause the server processor to (i) allocate a resource at the server computer, the resource including an identifier, and (ii) return a predetermined close instruction to the browser, the close instruction carrying the identifier." Further, Brandt fails to teach or suggest "code portions that - upon unloading the close instruction from the browser of the client computer - cause the client processor to send a second request to the server computer, the second request carrying the identifier and indicating to de-allocate the resource" and fails to disclose "code portions that - upon receiving the second request from the client computer - cause the server processor to de-allocate the resource."

Similarly, with regard to claim 33, Brandt fails to teach or suggest a system having the features of "the server computer upon receiving the first request (i) allocates a resource, the resource including an identifier, and (ii) returns a predetermined close instruction to the browser of the client computer, the close instruction carrying the identifier; the client computer, upon unloading the close instruction from the browser, sends a second request to the server computer, the second request carrying the identifier and indicating to de-allocate the resource; and the server computer, upon receiving the second request from the client computer, de-allocates the resource."

Accordingly, claims 27 and 33 are not anticipated by Brandt, and the rejection is respectfully requested to be withdrawn. Claims 28-32 are patentable for at least their dependence on claim 27, and claims 34 and 35 are patentable at least for their dependence on claim 33.

Claim Rejections – 35 U.S.C. 103

Claims 36-38

Claims 36-38 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Brandt in view of Windows.

With regard to claim 36, the Office Action asserts that Brandt discloses every element except the recited “time-out period (T), measuring the time (t) during which communication between the client computer and the server computer is idle, and de-allocating the resource when the measured time (t) reaches the time-out period (T)...”. However, Brandt does not teach nor suggest the feature of “allocating a resource at the server computer, the resource including an identifier and a time-out period (T)” as recited by claim 36. Further, Brandt neither teaches nor suggests the recited step of “returning a close instruction to the client computer, the close instruction including the time-out period (T) and the identifier.” For at least these reasons, the rejection of claim 36 should be withdrawn.

Claim 37 recites “the server program portion causes the server processor to allocate a resource at the server computer, the resource including an identifier and a time-out period (T), to return a close instruction to the client computer, the close instruction including the time-out period (T) and the identifier to measure the time (t) during which communication between the client computer and the server computer is idle.” These features are neither taught nor suggested by Brandt alone or in combination with Windows. Accordingly, the rejection of claim 37 should be withdrawn.

Regarding claim 38, the Office Action states generally that a combination of Brandt and Windows teaches or makes obvious each element of the claim. Unfortunately, the Office Action does not provide any guidance or reference to particular sections of the prior art against each

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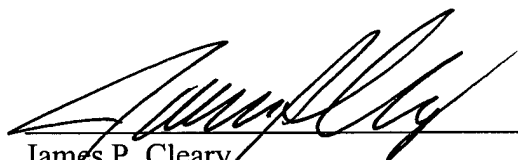
individual element. Accordingly, the Office Action fails to make a prima facie case of obviousness, and Applicants respectfully request that the rejection be withdrawn and a notice of allowance issued.

Enclosed is a \$1020 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

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